



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) Case No. CR 08-848 RHW-2  
)  
Plaintiff, ) ORDER OF REVOCATION/DETENTION  
) IN BAIL REVOCATION/DETENTION  
v. ) PROCEEDINGS  
)  
Lyndon Martin Bartist ) (18 U.S.C. § 3148(b))  
)  
Defendant. )

Upon motion of the Government to detain defendant in connection with bail revocation/detention proceedings pursuant to 18 U.S.C. § 3148(b):

A. The Court finds:

(☒) there is probable cause to believe that defendant has committed a federal, state, or local crime while on release;

( ) there is clear and convincing evidence that defendant has violated another condition of release;

B. The Court further finds:

(☒) no condition or combination of conditions will reasonably assure the appearance of defendant as required;

( ) no condition or combination of conditions will reasonably assure the safety of any other person and the community;

( ) defendant is unlikely to abide by any condition or combination of conditions of release.

C. The Court has considered:

- ( ✓ ) the nature and circumstances of the offense(s) charged;
- ( ✓ ) the weight of the evidence against defendant;
- ( ✓ ) the history and characteristics of defendant;
- ( ✓ ) the nature and seriousness of the danger to any person or the community that would be posed by defendant's release.

D. The Court concludes:

( ) Defendant poses a risk to the safety of other persons and the community based on: \_\_\_\_\_

( ✓ ) Defendant poses a serious flight risk based on: \_\_\_\_\_

*failure to self-surrender as ordered by court*

( ✓ ) Defendant is unlikely to abide by any condition or combination of conditions of release based on: \_\_\_\_\_

*failure to surrender as ordered by court*

1 E. The Government ( ) is ( ) is not entitled to a rebuttable  
2 presumption that no condition or combination of conditions  
3 will assure that defendant will not pose a danger to the  
4 safety of any person or the community.

5 F. The Court finds:

6 ( ) Defendant has not rebutted by sufficient evidence to  
7 the contrary the presumption provided in 18 U.S.C.  
8 § 3148(b) that no condition or combination of  
9 conditions will assure the safety of any other person  
10 or the community;

11 IT IS ORDERED that defendant is detained and remanded to the  
12 custody of the U.S. Marshal.

13 If defendant is awaiting trial, IT IS FURTHER ORDERED that  
14 defendant be confined in a corrections facility separate, to the  
15 extent practicable, from persons awaiting or serving sentences or  
16 persons held in custody pending appeal.

17 IT IS FURTHER ORDERED that defendant be afforded reasonable  
18 opportunity for private consultation with defendant's counsel.

19 DATED: 2/12/10

20   
21 HONORABLE JACQUELINE CHOOLJIAN  
22 United States Magistrate Judge  
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